University of Toronto LAW JOURNAL

CONTENTS volume XLVI, 1996

ARTICLES

Labour law without the state? H.W. ARTHURS 1

Compensation for injuries to land caused by planning authorities: Towards a compehensive theory DAPHNA LEWINSOHN-ZAMIR 47

The legitimacy of legality DAVID DYZENHAUS 129

Coercion in contract: The theoretical constructs of duress RICK BIGWOOD 201

The extension of colonial criminal jurisdiction over the aboriginal peoples of Upper Canada: Reconsidering the *Shawanakiskie* case (1822–26) MARK D. WALTERS 273

The Canadian conception of equality DAVID M. BEATTY 349

Private provision of public infrastructure: An oranizational analysis of the next privatization frontier RONALD J. DANIELS AND MICHAEL J. TREBILCOCK 375

Constitutional scholarship in the late nineteenth century: Making federalism work R.C.B. RISK 427

NAFTA's takings rule: American constitutionalism comes to Canada DAVID SCHNEIDERMAN 499

The unhappy marriage of corrective and distributive justice in the new Civil Code of Quebec CATHERINE VALCKE 539

REVIEW ARTICLES

The second wave of law and economics GILLIAN K. HADFIELD 181

Liberal accommodation ROBERT HOWSE 311

Law, language, and interpretation ARTHUR RIPSTEIN 335

The purity and priority of private law JOHN GARDNER 459

Outside Canadian administrative law MICHAEL TAGGART 649

University of Toronto LAW JOURNAL

CONTENTS volume XLVI, 1996

ARTICLES

Labour law without the state? H.W. ARTHURS 1

Compensation for injuries to land caused by planning authorities: Towards a compehensive theory DAPHNA LEWINSOHN-ZAMIR 47

The legitimacy of legality DAVID DYZENHAUS 129

Coercion in contract: The theoretical constructs of duress RICK BIGWOOD 201

The extension of colonial criminal jurisdiction over the aboriginal peoples of Upper Canada: Reconsidering the *Shawanakiskie* case (1822–26) MARK D. WALTERS 273

The Canadian conception of equality DAVID M. BEATTY 349

Private provision of public infrastructure: An oranizational analysis of the next privatization frontier RONALD J. DANIELS AND MICHAEL J. TREBILCOCK 375

Constitutional scholarship in the late nineteenth century: Making federalism work R.C.B. RISK 427

NAFTA's takings rule: American constitutionalism comes to Canada DAVID SCHNEIDERMAN 499

The unhappy marriage of corrective and distributive justice in the new Civil Code of Quebec CATHERINE VALCKE 539

REVIEW ARTICLES

The second wave of law and economics GILLIAN K. HADFIELD 181

Liberal accommodation ROBERT HOWSE 311

Law, language, and interpretation ARTHUR RIPSTEIN 335

The purity and priority of private law JOHN GARDNER 459

Outside Canadian administrative law MICHAEL TAGGART 649

REVIEWS OF BOOKS

WILLIAM E. SCHEUERMAN *Between the Norm and the Exception: The Frankfurt School and the Rule of Law* DAVID DYZENHAUS 345

RONEN SHAMIR *Managing Legal Uncertainty: Elite Lawyers in the New Deal* NEIL DUXBURY 495

RICHARD L. ABEL *Politics by Other Means: Law in the Struggle Against Apartheid, 1980–1994* MICHAEL LOBBAN 663

NOTE TO CONTRIBUTORS

All manuscripts submitted for publication in the *University of Toronto Law Journal* must be typewritten or printed by word processor on one side of 8½ x 11 sheets, double-spaced and with generous margins. Footnotes (*also double-spaced*) should appear separately at the back, preceded by the author's name and affiliation. Authors should check references and quotations before submitting a manuscript. Generally, preference will be given to articles that do not exceed 15,000 words in length. Authors of manuscripts accepted for publication will be asked to supply, in addition to the typescript, a computer diskette.

All contributions will be subject to a critical review before acceptance. Unless the editor is advised to the contrary, submission of an article to the *Journal* will be taken as implying that the article is not being concurrently submitted elsewhere.